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10/537,317	10/21/2005	Shay Zafri	Q88277	3219
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EXAMINER VIZVARY, GERALD C				
ART UNIT		PAPER NUMBER		
3696				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

USPTO@sughrue.com
kglyndman@sughrue.com
USPatDocketing@sughrue.com

Office Action Summary

Application No.

10/537,317

Applicant(s)

ZAFRIR, SHAY

Examiner

GERALD C. VIZVARY

Art Unit

3696

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 February 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 29-36, 45-52 and 54-57 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 29-36, 45-52 & 54-57 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/06)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

1. In the amendment filed 2/15/2008, the following has occurred: claims 29, 30, 34, 45 have been amended. Now, claims 29-36, 45-52 & 54-57 are presented for examination.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 29-36, 45-52 & 54-57 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mandler 5,732,400 in view of Walker US 6,267,292 B1.

As per claim 29 (currently amended) Mandler 5,732,400 discloses a method for financing of a trade credit, comprising:

receiving and storing information from parties participating in a trade credit financing transaction ("The system includes a financial clearinghouse for receiving a registration application for registering buyers with the financial clearinghouse and also for receiving a request for goods or services from the buyers via a computer network or other electronic medium." Mandler 5,732,400 col. 3, lines 34-39);

selecting a debt to finance, and a financial institution for financing the selected debt, according to the information received from the parties and a preference of ~~the~~ buyer's ~~preference the debt to finance and the financial sources to use for financing the debt;~~ presenting to the buyer: the selected debt, ~~and the an~~ corresponding accounts payable corresponding to the selected debt, and the parties to the trade credit financing transaction ~~to the buyer~~; ("Systems consistent with the present invention allow a transferor to transfer credit or make payment to a transferee by debiting the credit card of the transferor and crediting the credit card of the transferee. Walker US 6,267,292 B1 col. 4, lines 23-26)

receiving from the buyer: an approval ~~approving by the buyer~~ of the selected debt and the parties to the trade credit financing transaction and ~~by sending an ante-dated a~~ postdated irrevocable order to pay the selected debt ("Payment of a financial tender value, such as funds and partial credit lines, in an amount of value up to the available credit line of the transferor can be transferred to the transferee." Walker US 6,267,292 B1 col. 4, lines 26-29);

assigning the buyer's order to pay ~~payment~~ to the a financial institution and receiving discounted cash in return ("a method for transferring credit between multiple credit card accounts comprises the steps of: identifying a transferor credit card account; identifying a transferee credit card account; identifying a financial tender value to be transferred from said transferor credit card account to said transferee credit card account; and initiating the transfer of said financial tender value from said transferor credit card

account to said transferee credit card account." Walker US 6,267,292 B1 col. 4, lines 53-60);

paying a portion of the received cash ~~in cash~~ to a supplier in an amount ~~a payment~~ approved by the buyer, less a discount; and ("Any amount of value up to the full credit line of the transferor can be transferred to the transferee. Walker US 6,267,292 B1 abstract)

paying a portion of the received cash to the buyer in an amount up to the difference between the cash received from the financial institution and the cash paid to the supplier, less an agreed commission. ("The transfer of the financial tender value permits the transferee to access the transferred money or credit line immediately after the completion of the transfer." Walker US 6,267,292 B1 col. 4, lines 26-29)

It would have been obvious to one of ordinary skill in the art at the time of the invention to include transferable debt as taught by Walker US 6,267,292 B1 in the system of Mandler 5,732,400, since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

As per claim 30 (currently amended) Mandler 5,732,400 in view of Walker US 6,267,292 B1 teaches a method of claim 29.

Mandler 5,732,400 further discloses that the step of receiving and storing information comprises the steps of:

receiving an offer and a demand from ~~a~~ the supplier to finance trade credit which the supplier granted to the buyer, accompanied by an assignment-of-debt notification to the buyer relating to selected debt which is approved by the buyer ("Once the seller or sellers 10 receive the CONFIRM message from the broker 30, the seller or sellers 10 begin processing the agreed upon PO in step S31. After the seller or sellers 10 complete the buyer's PO, in step S32 the seller or sellers 10 transmits a notice of shipment (NOS) to the broker 30. The seller or sellers 10 can transmit a complete NOS or a partial NOS." Mandler 5,732,400 col. 15, lines 62-65);

receiving information representing a financial institution credit line or commitment to purchase a debt with credit exposure to the buyer ("If the NOS received from the seller or sellers 10 matches the PO and represents either the complete amount or a partial amount of the PO, then in step S34, the NOS is transmitted to the financial clearinghouse 40 for processing against the buyer's credit line." Mandler 5,732,400 col. 15, lines 57-62); and

receiving information from the buyer on at least one approved-for payment invoice received from the supplier. ("As the financial clearinghouse 40 processes the NOS, the credit line of the buyer 20 is reduced by the amount of the NOS. The credit line is restored as the buyer 20 pays the resulting invoice from the clearinghouse 40." Mandler 5,732,400 col. 15, lines 62-65)

As per claim 31 (original) Mandler 5,732,400 in view of Walker US 6,267,292 B1 teaches a method of claim 29.

Mandler 5,732,400 further discloses that the step of selecting the debt to finance and the financial sources to use compromises the prioritization of debts by fixed or dynamically changing considerations of:

buyer's preferences regarding at least one supplier and/or at least one financial institution, if such preferences have been presented by the buyer ("In FIG. 1B, a plurality of buyers 20, sellers 10 and a financial clearinghouse 40 are coupled to a communications network 5. Also coupled to the communications network 5 is a broker 30 that provides an on-line order acceptance and processing capability between buyers 20 and sellers 10. The functions provided by the broker 30 can be implemented, for example, as a computer system. Multiple brokers 30 can be coupled to a single financial clearinghouse 40." Mandler 5,732,400 col. 8, lines 22-30);

conditions and terms with supplier ("If the buyer's risk classification is acceptable, the clearinghouse provides a preliminary authorization for a proposed purchase by the buyer and transmits a request for quotation for the desired goods or services, along with the discount rate, to the seller or sellers who are electronically coupled to the financial clearinghouse via the computer network." Mandler 5,732,400 col. 4, lines 48-53);

availability of financial resources ("The financial clearinghouse makes a dynamic real-time risk classification of each buyer utilizing an on-line repository of credit data, including either in-house data or data obtained from a commercial credit service." Mandler 5,732,400 col. 3, lines 39-43); and

the financial spread in the trade credit financing transaction. ("The financial clearinghouse then receives price quotes from sellers responding to the request. The

buyer may then choose to place an order from a particular seller or sellers, for example, by selecting the seller with the lowest price. The financial clearinghouse determines a final credit authorization for the amount of the transaction and then the selected seller or sellers are electronically notified of the buyer's order by the financial clearinghouse." Mandler 5,732,400 col. 3, lines 54-61)

As per claim 32 (original) Mandler 5,732,400 in view of Walker US 6,267,292 B1 teaches a method of claim 29.

Mandler 5,732,400 further discloses the step of the buyer further introducing modifications to the selected debt of the trade credit financing transaction. ("If the negotiations are conducted off-line, the process can allow for human intervention and then a subsequent resumption of electronic processing of the transaction by the financial clearinghouse 40. Any modifications that increase the amount of the PO must be re-authorized by the clearinghouse 40. After the seller 10 accepts the PO, the seller 10 ships the goods to the buyer 20 and transmits a notice of shipment (NOS) to the financial clearinghouse 40." Mandler 5,732,400 col. 7, lines 60-67)

As per claim 33 (original) Mandler 5,732,400 in view of Walker US 6,267,292 B1 teaches a method of claim 29.

Mandler 5,732,400 further discloses the step of approval and sending an irrevocable payment order to pay to the financial institution to pay funds against an invoice comprises the elimination of the commercial risk in respect of the selected debt. ("If the

NOS received from the seller or sellers 10 matches the PO and represents either the complete amount or a partial amount of the PO, then in step S34, the NOS is transmitted to the financial clearinghouse 40 for processing against the buyer's credit line. As the financial clearinghouse 40 processes the NOS, the credit line of the buyer 20 is reduced by the amount of the NOS. The credit line is restored as the buyer 20 pays the resulting invoice from the clearinghouse 40." Mandler 5,732,400 col. 15, lines 56-65)

As per claim 34 (original) Mandler 5,732,400 in view of Walker US 6,267,292 B1 teaches a method of claim 29.

Mandler 5,732,400 further discloses that the step of assigning comprises using the irrevocable order to pay payment ~~commitment~~ as a security for a recourse loan that on maturity equals the payment sum or discounting the payment for cash or a combination of a loan and cash payment, in a rate that represents the buyer's cost of funds. ("If the NOS received from the seller or sellers 10 matches the PO and represents either the complete amount or a partial amount of the PO, then in step S34, the NOS is transmitted to the financial clearinghouse 40 for processing against the buyer's credit line. As the financial clearinghouse 40 processes the NOS, the credit line of the buyer 20 is reduced by the amount of the NOS. The credit line is restored as the buyer 20 pays the resulting invoice from the clearinghouse 40." Mandler 5,732,400 col. 15, lines 56-65)

As per claim 35 (original) Mandler 5,732,400 in view of Walker US 6,267,292 B1 teaches a method of claim 29.

Mandler 5,732,400 further discloses that the supplier pays for exchanging the buyer's debt for cash, at a higher rate than the rate a financial institution demands for credit exposure against the buyer, and wherein the difference between these two rates, less an agreed commission, is paid in cash to the buyer following the trade credit financing transaction. ("If the buyer's risk classification is acceptable, the clearinghouse provides a preliminary authorization for a proposed purchase by the buyer and transmits a request for quotation for the desired goods or services, along with the discount rate, to the seller or sellers who are electronically coupled to the financial clearinghouse via the computer network. The financial clearinghouse then receives price quotes from sellers responding to the request." Mandler 5,732,400 col. 3, lines 48-55)

As per claim 36 (original) Mandler 5,732,400 in view of Walker US 6,267,292 B1 teaches a method of claim 29.

Mandler 5,732,400 further discloses that the step of selecting is performed according to the financial spread of the at least one financial institution or credit sources or terms with the at least one supplier or other constraints. ("Upon receiving the RFQ, the broker 30 transmits a request for risk rating (RRR) to the financial clearinghouse 40 to determine preliminary authorization for clearinghouse 40 financing of the potential transaction. The RRR, for example, verifies to the broker 30 that the buyer 20 is registered with the financial clearinghouse 40 and also provides the discount fee that

has been determined for the buyer 20 by the financial clearinghouse 40." Mandler 5,732,400 col. 9, lines 20-27)

As per claim 45 (currently amended) Mandler 5,732,400 discloses a method in which an entity for financing trade credit by discounting a buyer's debt to the supplier, eliminating commercial risks of the debt through collaboration with at least one buyer and selling the at least one buyer's debt to a financial institution, the method comprising the steps of:

obtaining at least one supplier demand for a trade credit financing transaction ("If the buyer's risk classification is acceptable, the clearinghouse provides a preliminary authorization for a proposed purchase by the buyer and transmits a request for quotation for the desired goods or services, along with the discount rate, to the seller or sellers who are electronically coupled to the financial clearinghouse via the computer network. The financial clearinghouse then receives price quotes from sellers responding to the request." Mandler 5,732,400 col. 3, lines 48-55);

obtaining from the at least one buyer at least one received and approved for payment invoice associated with the supplier ("The financial clearinghouse further determines a risk-based discount rate as a function of the buyer's risk classification to establish a payment amount to a seller by the clearinghouse. The financial clearinghouse also determines a credit line for each buyer." Mandler 5,732,400 col. 3, lines 43-48);

processing the at least one supplier demand, the credit line and the at least one received and approved for payment invoice associated with the supplier whereby at

least one invoice is selected for payment ("Once the seller or sellers 10 receive the CONFIRM message from the broker 30, the seller or sellers 10 begin processing the agreed upon PO in step S31. After the seller or sellers 10 complete the buyer's PO, in step S32 the seller or sellers 10 transmits a notice of shipment (NOS) to the broker 30. The seller or sellers 10 can transmit a complete NOS or a partial NOS." Mandler 5,732,400 col. 15, lines 48-54);

transmitting the at least one invoice selected for payment to the buyer ("If the transaction is authorized by the financial clearinghouse, the financial clearinghouse transmits the payment amount to the seller and transmits an invoice to the buyer for the purchase price of the transaction." Mandler 5,732,400 abstract);

receiving funds, for the assignment of the buyer's future payment, from one financial institution at a rate that represent the buyer's credit risk ("The financial clearinghouse 40 can support either paper invoicing, electronic invoicing or electronic debit for billing and payment. Electronic invoicing, for example, can be accomplished by the use of standard EDI messages. Automatic debiting for payment from the buyer 20 to the financial clearinghouse 40 can be accomplished, for example, by the use of standard Authorized Clearing House ("ACH") debit transactions." Mandler 5,732,400 col. 11, lines 4-11);

transferring to the supplier a discounted payment for the at least one invoice selected for payment, ("The financial clearinghouse further determines a risk-based discount rate as a function of the buyer's risk classification to establish a payment amount to a seller by the clearinghouse. The financial clearinghouse also determines a credit line for each buyer." Mandler 5,732,400 col. 3, lines 42-47); and

transferring the buyer payment of the difference between the funds received from the financial institution and the funds paid to the supplier, less a sum that stays with the entity. ("Once a buyer makes a purchase with the credit card, the seller is paid by the merchant bank, less a predetermined service fee, often referred to as an "interchange fee" and the merchant bank then invoices the buyer for payment." Mandler 5,732,400 col. 2, lines 15-18)

Mandler 5,732,400 fails to explicitly teach;

obtaining a credit line at least one financial institution has proposed to provide against the buyer's debt;

receiving at least one postdated ~~ante-dated~~ irrevocable payment order to the at least one financial institution to pay the entity, on the at least one selected invoice for payment due date, the total of the face value of the at least one invoice selected for payment; and

receiving at least one postdated ~~ante-dated~~ irrevocable payment order to the at least one financial institution to pay the entity, on the at least one selected invoice for payment due date, the total of the face value of the at least one invoice selected for payment

Walker US 6,267,292 B1 teaches "Systems consistent with the present invention allow a transferor to transfer credit or make payment to a transferee by debiting the credit card of the transferor and crediting the credit card of the transferee. (Walker US 6,267,292 B1 col. 4, lines 23-26);

"Optional cryptographic processor 340 generates an encrypted ID number to provide for a secure transaction. Symmetric cryptography is preferably employed. The use of cryptography provides a single use transaction ID that incorporates a date and time into the ID, that in turn guarantees a unique ID for every transaction." (Walker US 6,267,292 B1 col. 4, lines 23-26); and

"Optional cryptographic processor 340 generates an encrypted ID number to provide for a secure transaction. Symmetric cryptography is preferably employed. The use of cryptography provides a single use transaction ID that incorporates a date and time into the ID, that in turn guarantees a unique ID for every transaction." (Walker US 6,267,292 B1 col. 4, lines 23-26);

It would have been obvious to one of ordinary skill in the art at the time of the invention to include transferable debt as taught by Walker US 6,267,292 B1 in the system of Mandler 5,732,400, since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

As per claim 46 (original) Mandler 5,732,400 in view of Walker US 6,267,292 B1 teaches a method of claim 45.

Mandler 5,732,400 further discloses that the at least one supplier the at least one buyer and the at least one financial institution have contractual relationship with the entity and the at least one supplier instructs the at least one buyer to pay the debts directly to the

entity upon request. ("Execution of the instructions of the accounting package 47 by the main processor 41 will establish an accounts receivable (A/R) database in the memory 45 for storing pertinent data regarding amounts paid by the buyers 20 and due to sellers 10 and brokers 20, and also historical A/R data." Mandler 5,732,400 col. 10, lines 34-39)

As per claim 47 (original) Mandler 5,732,400 in view of Walker US 6,267,292 B1 teaches a method of claim 45.

Mandler 5,732,400 further discloses prioritization of the approved for payment invoice according to the at least one buyer's preferences, terms with the at least one supplier, at least one financial institution supply of funds and spread of the transaction. ("The buyer may then choose to place an order from a particular seller or sellers, for example, by selecting the seller with the lowest price." Mandler 5,732,400 col. 3, lines 55-58)

As per claim 48 (original) Mandler 5,732,400 in view of Walker US 6,267,292 B1 teaches a method of claim 45.

Mandler 5,732,400 further discloses at least two financial institutions that offer discount rates against a debt of the at least one buyer that represent different fund costs per the at least one buyer and wherein the entity prioritize the at least two financial institutions as sources for funds by the discount rate and according to the at least one buyer's preferences. ("The financial clearinghouse determines a final credit authorization for the amount of the transaction and then the selected seller or sellers are electronically

notified of the buyer's order by the financial clearinghouse." Mandler 5,732,400 col. 3, lines 58-61)

As per claim 49 (original) Mandler 5,732,400 in view of Walker US 6,267,292 B1 teaches a method of claim 45.

Mandler 5,732,400 further discloses at least one supplier dynamically offer higher discount rate than the discount rate agreed with the entity to create an incentive to the entity and the at least one buyer to prioritize transaction with the entity over transactions with other at least one supplier for the better financial spread. ("If the buyer's risk classification is acceptable, the clearinghouse provides a preliminary authorization for a proposed purchase by the buyer and transmits a request for quotation for the desired goods or services, along with the discount rate, to the seller or sellers who are electronically coupled to the financial clearinghouse via the computer network. The financial clearinghouse then receives price quotes from sellers responding to the request. The buyer may then choose to place an order from a particular seller or sellers, for example, by selecting the seller with the lowest price." Mandler 5,732,400 col. 3, lines 48-58)

As per claim 50 (original) Mandler 5,732,400 in view of Walker US 6,267,292 B1 teaches a method of claim 45.

Mandler 5,732,400 further discloses that at least one financial institution is a bank or an insurance company or a business entity or a business entity that raises funds in a

capital market against debts, commercial papers or bonds bearing the payment commitment risk. ("Although FIG. 4A has been described with respect to the second embodiment of the present invention, which includes a broker 30 that acts as an on-line quote and order processing service, the first embodiment of the present invention performs substantially the same processing of a buy/sell transaction with the financial clearinghouse 40 performing the functions described as being performed by the broker 30, as shown in FIG. 4B." Mandler 5,732,400 col. 16, lines 15-22)

As per claim 51 (original) Mandler 5,732,400 in view of Walker US 6,267,292 B1 teaches a method of claim 45.

Mandler 5,732,400 further discloses that transfer to the supplier is performed by the entity. ("After the seller provides a notice of shipment of the goods, the financial clearinghouse transmits the payment amount to the seller, net of the discount, and also transmits an invoice to the buyer for the purchase price of the transaction." Mandler 5,732,400 col. 3, lines 61-65)

As per claim 52 (original) Mandler 5,732,400 in view of Walker US 6,267,292 B1 teaches a method of claim 45.

Mandler 5,732,400 further discloses that transfer to the supplier is performed by a designated third party or a trust. ("The financial clearinghouse 40 can support either paper invoicing, electronic invoicing or electronic debit for billing and payment. Electronic invoicing, for example, can be accomplished by the use of standard EDI

messages. Automatic debiting for payment from the buyer 20 to the financial clearinghouse 40 can be accomplished, for example, by the use of standard Authorized Clearing House ("ACH") debit transactions. Similarly, the financial clearinghouse 40 can support check, ACH or EFT options for payments to the sellers 10." Mandler 5,732,400 col. 11, lines 4-13)

As per claim 54 (new) Mandler 5,732,400 in view of Walker US 6,267,292 B1 teaches a method of claim 29.

Mandler 5,732,400 further discloses the financing of the trade credit is performed subsequent to a trade agreement established between a supplier and a buyer. ("After the seller 10 accepts the PO, the seller 10 ships the goods to the buyer 20 and transmits a notice of shipment (NOS) to the financial clearinghouse 40." Mandler 5,732,400 col. 7, lines 60-67)

As per claim 55 (new) Mandler 5,732,400 in view of Walker US 6,267,292 B1 teaches a method of claim 54.

Mandler 5,732,400 further discloses that the parties participating in the trade credit financing transaction comprise a supplier and a financial institution. ("In FIG. 1B, a plurality of buyers 20, sellers 10 and a financial clearinghouse 40 are coupled to a communications network 5. Also coupled to the communications network 5 is a broker 30 that provides an on-line order acceptance and processing capability between buyers 20 and sellers 10. The functions provided by the broker 30 can be implemented, for

example, as a computer system. Multiple brokers 30 can be coupled to a single financial clearinghouse 40." Mandler 5,732,400 col. 8, lines 22-30)

As per claim 56 (new) Mandler 5,732,400 in view of Walker US 6,267,292 B1 teaches a method of claim 54.

Mandler 5,732,400 further discloses that the selected debt is a preexisting debt of the buyer to the supplier, in exchange for goods or services from the supplier. ("The present invention relates to a system and method for enabling buyers and sellers of goods to transact with each other. More particularly, the present invention provides the transactional capability to buyers of goods to have open account trade credit with a plurality of sellers and provides sellers of goods with improved risk assessment and decreased credit costs for buyers of the goods." Mandler 5,732,400 col. 1, lines 6-13)

As per claim 57 (new) Mandler 5,732,400 in view of Walker US 6,267,292 B1 teaches a method of claim 54.

Mandler 5,732,400 further discloses that the financial institution and the debt to finance are selected such that a difference between the cash received from the financial institution and the cash paid to the supplier is maximized. ("Once a buyer makes a purchase with the credit card, the seller is paid by the merchant bank, less a predetermined service fee, often referred to as an "interchange fee" and the merchant bank then invoices the buyer for payment." Mandler 5,732,400 col. 2, lines 15-19) It is

old and well known to minimize miscellaneous fees and therefore obvious to select institutions and payments to achieve this goal.

Response to Arguments

4. Applicant's arguments with respect to claims 29-36 & 45-52 have been considered, but are moot in view of the new ground(s) of rejection.

Conclusion

5. The following is prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Tanaka (JP-2002051685A) teaches a trade receivable processing system which can rapidly process a trade receivable even if applied to many and unspecified enterprises and to promote the utilization of a trade credits complement by applying different rates (relatively low rate) by every paying enterprise.

Flitcroft (US 6,636,833 B1) teaches credit card system which has the added feature of providing additional limited-use credit card numbers and/or cards. These numbers and/or cards can be used for a single transaction, thereby reducing the potential for fraudulent reuse of these numbers and/or cards. The credit card system finds application to "card remote" transactions such as by phone or Internet.

MacKay (US 2002/0082985 A1) teaches a method and system wherein a Funding Company and a Purchaser enter into an agreement pursuant to which a mechanism is established under which the Purchaser's Suppliers are offered the opportunity to obtain the prompt or accelerated payment of the Purchaser's existing or future trade credit obligations (which are commonly referred to as the Purchaser's "accounts payable" or "trade payables") to them in exchange for providing percentage discounts, which are commonly referred to as "prompt payment discounts," from such trade credit obligations.

Turbeville (US 2001/0027437 A1) teaches A method for managing, on a pooled basis, the credit risk coverage of contract performance by contracting parties. An aggregate maximum credit risk coverage for all contracts by each contracting party.

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office Action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a). A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gerald C. Vizvary whose telephone number is 571-270-3268. The examiner can normally be reached on Monday thru Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ella Colbert can be reached on 571-272-6741. The fax phone number for the organization where this application or proceeding is assigned is 571-270-4268.

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/Ella Colbert/
Primary Examiner, Art Unit 3696

Gerald Vizvary
Patent Examiner, A.U. 3696
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